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8 UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF WASHINGTON

10 TIFFANY ANN KEENER,

11 Plaintiff,

12 v.

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14 NANCY A. BERRYHILL,  
15 Acting Commissioner of Social  
16 Security,

17 Defendant.

No. 2:16-cv-00437-RHW

**ORDER GRANTING MOTION FOR  
REMAND**

18 Before the Court is a Stipulated Motion for Remand and jointly move the  
19 Court to remand for further administrative proceedings. **ECF No. 17**. Based on the  
20 agreement of the parties and the record, the Court finds good cause to grant the  
21 motion.

22 The Commissioner's decision to deny Plaintiff's application for disability  
23 benefits is **REVERSED** and **REMANDED** for further proceedings including a de  
24 novo hearing pursuant to sentence four of 42 U.S.C. § 405(g). Upon remand, the  
25 administrative law judge shall: (1) obtain a complete copy of the November 15,  
26 2013, report of the examination by Frank Rosekrans, Ph.D., and the attachments  
27 including the Personality Assessment Inventory profile and interpretation; (2)  
28 obtain the X-rays and MRI report referenced in the November-December report

**ORDER GRANTING MOTION FOR REMAND ~ 1**

1 2013 report of the examination by William Shanks, M.D.; (3) reconsider the  
2 medical opinions, particularly those of Dr. Rosekrans and Dr. Shanks, consistent  
3 with 20 C.F.R. § 416.927; (4) reconsider Ms. Keener's residual functional  
4 capacity; (5) reconsider Ms. Keener's subjective complaints; (6) if necessary,  
5 obtain supplemental evidence from a vocational expert; and (7) offer Ms. Keener a  
6 supplemental hearing. The ALJ shall also issue a new decision.

7 Accordingly, **IT IS HEREBY ORDERED:**

8 1. The parties' Stipulated Motion for Remand, **ECF No. 17**, is **GRANTED**.

9 2. The Commissioner's decision is **REVERSED** and this matter is  
10 **REMANDED** for further administrative proceedings consistent with this order.

11 3. All pending motions in this matter are now moot.

12 4. Reasonable attorney fees shall be awarded under the Equal Access to  
13 Justice Act, 28 U.S.C. § 2412, upon proper request to the Court.

14 5. The District Court Executive shall enter judgment for the Plaintiff and  
15 against Defendant.

16 **IT IS SO ORDERED.** The District Court Executive is directed to enter this  
17 Order, forward copies to counsel, and **close the file**.

18 **DATED** this 5th day of October, 2017.

19  
20 *s/Robert H. Whaley*  
21 ROBERT H. WHALEY  
22 Senior United States District Judge  
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